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# REPORT OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 724 (1991) CONCERNING YUGOSLAVIA TO THE SECURITY COUNCIL

## LETTER OF TRANSMITTAL

13 April 1992

Sir,

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia containing an account of its activities to date. The report, which was adopted by the Committee at its eighth meeting on 9 April 1992, is being submitted in accordance with paragraph 5 (b) of Security Council resolution 724 (1991) of 15 December 1991.

Accept, Sir, the assurances of my highest consideration.

José Ayala Lasso
Chairman
Security Council Committee established
pursuant to resolution 724 (1991)
concerning Yugoslavia

His Excellency
Mr. Simbarashe Simbanenduku Mumbengegwi
President of the Security Council

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1. The Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia is submitting this report to the Security Council in accordance with the provisions of paragraph 5 (b) of the aforementioned resolution, which was adopted by the Council on 15 December 1991.

2. The full mandate of the Committee is contained in paragraph 5 (b) of Security Council resolution 724 (1991), the pertinent part of which reads as follows:

> ["The Security Council,]
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> ...
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> "5. Acting under Chapter VII of the Charter of the United Nations:
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> ...
>
> "(b) Decides to establish, in accordance with rule 28 of its Provisional Rules of Procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:
>
> "(i) To examine the reports submitted pursuant to subparagraph (a) above;
>
> "(ii) To seek from all States further information regarding the action taken by them concerning the effective implementation of the embargo imposed by paragraph 6 of resolution 713 (1991);
>
> "(iii) To consider any information brought to its attention by States concerning violations of the embargo, and in that context to make recommendations to the Council on ways of increasing the effectiveness of the embargo;
>
> "(iv) To recommend appropriate measures in response to violations of the general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia and provide information on a regular basis to the Secretary-General for general distribution to Member States."

3. In paragraph 5 (c) of the same resolution the Security Council called upon all States to cooperate fully with the Committee in the fulfilment of its tasks concerning the effective implementation of the provisions of paragraph 6 of resolution 713 (1991).

4. At its first meeting on 20 December 1991 the Committee elected His Excellency Mr. José Ayala Lasso (Ecuador) Chairman for a term of office running to 31 December 1992; and at the second meeting held on 6 January 1992 the delegations of Cape Verde and Japan were elected to provide the

Vice-Chairmen of the Committee for 1992. To date the Committee has held eight meetings. This report was adopted by the Committee at the 8th meeting on 9 April 1992.

5. At its 4th meeting on 4 February 1992 the Committee adopted guidelines for the conduct of its work.

6. In accordance with the provisions of paragraph 5 (b) (i) of resolution 724 (1991), the Committee considered replies received from States concerning the measures which they had instituted for meeting the obligations set out in paragraph 6 of resolution 713 (1991). 1/ To date 99 replies have been received. On the basis of the criteria approved at the 5th meeting, on 13 February 1992, for assessing the replies received, and in pursuance of the mandate contained in paragraph 5 (b) (ii) of resolution 724 (1991), the Committee has so far addressed notes verbale to 49 States requesting from them additional information on the specific measures taken by them for effective implementation of the arms embargo against Yugoslavia. The requests for further information imply no prejudgement as to the validity or the veracity of the origianl replies provided by States.

7. In accordance with the approved guidelines, the Committee addressed an initial appeal to all States in a note verbale dated 7 February 1992, requesting them to provide information relating to any violation or alleged violation of the arms embargo against Yugoslavia. A similar appeal was addressed to individuals and governmental and non-governmental organizations, both national and international, by means of a press release issued on 24 February 1992.

8. The only formal reports of alleged violations of the arms embargo against Yugoslavia received by the Committee so far have been submitted by the Government of Yugoslavia, in a memorandum from that Government dated 2 January 1992. The details of the relevant allegations were conveyed to eight of the States mentioned therein, with requests for thorough investigations into the reports thus received. Two other States similarly mentioned had already submitted communications to the Committee, stating their findings and positions on the allegations relating to them. Replies have been received from six of the Governments contacted. Five of those Governments have reported on the investigations and measures undertaken in their countries. One Government has requested additional information from the Yugoslav authorities in order to enable it to proceed appropriately with its inquiries. In some cases the Chairman of the Committee has made personal representations, at the Committee's request, with the aim of expediting matters.

9. During the period covered by this report, the Committee received no information from any other State, governmental or non-governmental organization, or private individual concerning any violations or alleged violations of the arms embargo against Yugoslavia.

10. The Committee has also held consultations concerning inquiries about the possible export of a medevac helicopter to Yugoslavia. The Committee considered the matter at its 7th meeting, on 24 March 1992, and came to the conclusion that the explanations and assurances provided by the prospective exporter with regard to the possible sale of a medevac helicopter to Yugoslavia were clear and satisfactory. A letter to that effect was sent to the inquiring State. At the same meeting, the Committee also considered the question of certain helicopters which had been sent outside Yugoslav territory for repairs before the imposition of the arms embargo. The State which declined to return the helicopters to Yugoslavia after the completion of their routine servicing informed the Committee that the helicopters had been classified by the Government as potentially dual-purpose aircraft under the relevant State regulations and were thus to be covered by the arms embargo. In light of the foregoing, the Chairman communicated that position to the Government of Yugoslavia.

11. The Committee has also gathered information concerning past experience with similar situations and the steps that will be taken to verify deliveries of weapons and military equipment for exclusive use by the United Nations Protection Force (UNPROFOR) in Yugoslavia, as authorized under the provisions of paragraph 11 of Security Council resolution 743 (1992).

12. The Committee has received a limited amount of information on violations of the embargo. In its work, it has proceeded on that basis. The Committee is still searching for means through which it can obtain the requisite additional information. Meanwhile, the Committee hopes that its appeals to States, to governmental and non-governmental organizations and to individuals to provide any information they may receive relating to actual or suspected violations of the mandatory arms embargo established against Yugoslavia by the Security Council, will be effectively heeded.

## Notes

1/ The Secretary-General requested information from States in his note SCPC/8/91(1), dated 16 December 1991, and, at the request of the Committee, sent reminders on 28 January 1992 to those States that had not yet replied (note SCPC/8/92(1)).

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